

1646

DOCKET NO. 1000-10-CO1



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Application of: James P. Elia )  
Serial No.: 09/836,750 )  
Filed: April 17, 2001 )  
For: METHOD FOR GROWING )  
MUSCLE IN A HUMAN )  
HEART )

Group Art Unit: 1646

Examiner: Elizabeth C. Kemmerer, Ph.D.

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, in an envelope addressed to Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on DEC. 20, 2006

Gerald K. White 12/20/06  
Signature Date

**SEVENTH SUPPLEMENTAL  
INFORMATION DISCLOSURE STATEMENT**

**MAIL STOP NON-FEE AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Enclosed herewith, please find Form PTO-1449 (Modified) pertaining to the above-identified application. A copy of the publication listed thereon (Reference AY) is enclosed.

Applicant recently became aware of U.S. Patent No. 6,387,369 entitled, "Cardiac Muscle Regeneration Using Mesenchymal Stem Cells." The patent pertains to a process for producing cardiac muscle cells and cardiac muscle in the heart by the administration of mesenchymal stem cells. There is no indication in the patent that mesenchymal stem cells form new arteries in the heart of the rat.

Applicant desires the patent to be placed of record in the instant patent application.

Respectfully submitted,

Date: December 20, 2006

Gerald K. White

Gerald K. White  
Reg. No. 26,611



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Signature Date

**CERTIFICATION**

**MAIL STOP NON-FEE AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Arlington, VA 22313-1450

Sir:

I, Gerald K. White, Attorney for Applicant, hereby state that the Reference cited in this Seventh Supplemental Information Disclosure Statement ("IDS") was first discovered by me on December 13, 2006, less than three (3) months prior to the date set forth below.

I further state that no item of information contained in this Seventh Supplemental IDS was cited in a written communication from a foreign patent office in a counterpart foreign application, and, to my knowledge, after making reasonable inquiry, no item of information contained in this Seventh Supplemental IDS was known to any individual designated in 37 C.F.R. 1.56(c) more than three (3) months prior to the filing of this statement.

Respectfully submitted,

Date: December 20, 2006

Gerald K. White

Gerald K. White  
Reg. No. 26,611



List of Patents and Publications For  
Applicant's 7<sup>th</sup> Supplemental  
Information Disclosure Statement  
Page 1 of 1

Form PTO-1449 (Modified)  
(Use several sheets if necessary)

Docket No: 1000-10-CO1

Serial No.: 09/836,750

Filing Date: April 17, 2001

Applicant: James P. Elia

Group No.: 1646

Examiner: Elizabeth Kemmerer

Reference Designation U.S. PATENT DOCUMENTS

Examiner Initial		Document Number	Date	Name	Class	Sub-Class	Filing Date (if appropriate)
/ECK/	AY	6387,369	05/14/02	Pittenger et al.			

Foreign Patent Documents

		Document Number	Date	Country	Class	Sub-Class	Translation Yes	No

Other Art (including author, title, date, pertinent pages, etc.)


Examiner /Elizabeth C. Kemmerer/

Date Considered 02/14/2008

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.